

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

TYRRAN SMITH and TATRA  
BRADSHAW individually and as  
administrators of the ESTATE OF DENISE  
BRADSHAW,

Plaintiffs,

v.

NELI SERAFIMOVA, M.D., WESLEY  
EMMONS, M.D., JOHN D'AMBROSIO,  
D.O., MICHAEL VAN WINKLE, D.O., and  
ST. FRANCIS HOSPITAL, INC.,

Defendants.

Civil Action No. 21-1451-RGA

**ORDER TO SHOW CAUSE**

WHEREAS, Defendants filed Notices of Removal of this action beginning on October 14, 2021 (D.I. 1, 3, 4, 13, 20);

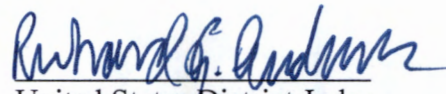
WHEREAS, Plaintiffs cites to a similar case from the District of New Jersey that was affirmed on appeal, suggesting that in the present case this Court lacks subject matter jurisdiction (D.I. 16 at 11 n.23 (citing *Est. of Maglioli v. Andover Subacute Rehab. Ctr. I*, 478 F. Supp. 3d 518, 522 (D.N.J. 2020), *aff'd sub nom. Maglioli v. All. HC Holdings LLC*, 16 F.4th 393 (3d Cir. 2021)));

WHEREAS, Chief Judge Connolly recently remanded a similar case for lack of subject matter jurisdiction (*see Hansen v. Brandywine Nursing & Rehab. Ctr., Inc.*, No. CV 21-649-CFC, 2022 WL 608968 (D. Del. Jan. 19, 2022));

WHEREAS, considering that Plaintiffs did not move to remand, Defendants request to brief the issue of whether this Court has subject matter jurisdiction (D.I. 17 at 7);

NOW THEREFORE, Defendants are requested to submit a letter within two weeks of the date of this order explaining why this case should not be remanded. Plaintiffs are requested to respond to Defendants' letter within one week of its receipt.

IT IS SO ORDERED this 19<sup>th</sup> day of August 2022.



United States District Judge